

Message Text

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ACTION ORM-02

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FM AMEMBASSY NICOSIA

TO SECSTATE WASHDC 4064

INFO AMEMBASSY ATHENS

AMEMBASSY ROME

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E. O. 11652: N/A

TAGS: SREF CVIS

SUBJECT: LEBANESE REFUGEES - VISIT OF USCC DIRECTOR

REF: (A) STATE 186795, (B) NICOSIA 2112, (C) NICOSIA 2147

(D) STATE 182765

1. DIRECTOR OF US CATHOLIC CONFERENCE (USCC) JOHN MCCARTHY CALLED ON CHARGE D'AFFAIRES AUGUST 2 TO DISCUSS PROBLEM OF APPROXIMATELY 170 LEBANESE NATIONALS WHO HAVE REGISTERED WITH CYPRUS OFFICE OF PONTIFICAL MISSION FOR PALESTINE TO EMIGRATE TO U.S. AS REFUGEES (REF B). MCCARTHY NOTED THAT USCC HAS BEEN IN CONSULTATION WITH INS AND STATE DEPARTMENT OFFICIALS CONCERNING POSSIBLE PROCEDURES FOR ENTRY OF LEBANESE REFUGEES TO U.S. HE INDICATED THAT USCC IS CLOSELY WATCHING PROGRESS OF HEARINGS OF SENATE JUDICIARY SUBCOMMITTEE ON REFUGEES. HE EXPRESSED PESSIMISM, HOWEVER, OVER POSSIBILITY THAT INS AND STATE DEPARTMENT WILL DEVELOP EFFECTIVE MECHANISMS FOR HANDLING LEBANESE HARDSHIP CASES THROUGH "PAROLE" OR REFUGEE STATUS.

2. MCCARTHY STATED THAT MAIN PROBLEM FACING PONTIFICAL MISSION IS GOC RELUCTANCE TO DESIGNATE LEBANESE IN CYPRUS AS REFUGEES AND TO AGREE TO READMIT WITHIN PERIOD OF TWO
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YEARS ANY LEBANESE REFUGEE WHO IS FOUND TO BE UNDESIRABLE

ALIEN AFTER ENTRY TO US. THESE CONDITIONS ARE NECESSARY FOR CONSIDERATION OF CASE BY INS UNDER SECTION 203(A)(7) OF INA. EVEN IF LEBANESE IN CYPRUS WERE TO BE MADE ELIGIBLE FOR REFUGEE PROGRAM UNDER SECTION 203(A)(7) OF INA, MCCARTHY DEPLORED COSTS OF TRANSPORTATION AND MAINTENANCE OF REFUGEES WHICH USCC WOULD INCUR UNDER NORMAL PROCESSING PROCEDURES. HE ACKNOWLEDGED THAT MISSION MAY HAVE BEEN A LITTLE HASTY IN REGISTERING THESE PERSONS AS REFUGEES.

3. MCCARTHY HOPED THAT LIBERAL INTERPRETATION OF INA BY CONSOFF COULD RESULT IN ISSUANCE OF B-2 VISAS TO SOME OR ALL OF LEBANESE REGISTERED AS REFUGEES WITH PONTIFICAL MISSION. HE STRESS THAT ISSUANCE OF NONIMMIGRANT VISAS TO SELF-DECLARED REFUGEES AND INTENDING IMMIGRANTS MIGHT NOT NECESSARILY VIOLATE LETTER OF PRIRIT OF INA. MCCARTHY STATED THAT USCC WOULD PAY TRANSPORTATION AND LIVING EXPENSES FOR MEMBERS OF GROUP, POST MAINTENANCE OF STATUS AND DEPARTURE BONDS, AND HELP LOCATE FUTURE EMPLOYMENT. HE ASSURED CHARGE THAT USCC WOULD ASSUME FULL RESPONSIBILITY FOR DEPARTURE OF ANY LEBANESE WHOM INS SUBSEQUENTLY REQUIRED TO LEAVE U.S. MCCARTHY STATED THAT B-2 VISAS HAVE BEEN ISSUED IN PAST YEARS WITH COOPERATION OF USCC TO MANY REFUGEES STRANDED IN THIRD COUNTRIES.

4. CHARGE TOLD MCCARTHY THAT DEPARTMENT HAS ADVISED CONSOFFS TO EXAMINE LEBANESE NIV APPLICATIONS SYMPATHETICALLY. VISA ISSUANCE MUST BE CONSISTENT WITH PROVISIONS OF INA AND VISA REGULATIONS, HOWEVER, AND CONSOFF RETAINS ULTIMATE RESPONSIBILITY FOR DECISIONS. WHILE CONSOFF USES BEST JUDGEMENT AND CONSCIENCE IN EVALUATING "BORDERLINE CASES." PERSONS WHO WERE REGISTERED WITH VOLUNTARY AGENCY AS INTENDING IMMIGRANTS WOULD APPEAR TO BE CLEAR-CUT CASES OF INELIGIBILITY FOR NONIMMIGRANT STATUS. CHARGE ASSURED MCCARTHY THAT EMBASSY IS MAKING GREAT EFFORT TO DEAL WITH LEBANESE CASES ON PRIORITY BASIS WITH DUE CONSIDERATION FOR HUMANITARIAN ASPECTS OF THEIR PREDICAMENT. HE TOLD MCCARTHY THAT EMBASSY OFFICIALS WILL BE PLEASED TO DISCUSS MATTER FURTHER WITH PONTIFICAL MISSION REP VLACHOPOULOS.

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5. ACTION REQUESTED: EMBASSY WOULD APPRECIATE DEPARTMENT'S URGENT GUIDANCE ON MCCARTHY PROPOSAL FOR ISSUANCE OF B-2 VISAS TO PERSONS ALREADY REGISTERED WITH PONTIFICAL MISSION FOR ENTRY TO U.S. UNDER SECTION 203(A)(7) OF INA. PER DEPT'S GENERAL ADVICE (REF D) WE ARE FOLLOWING LIBERAL POLICY OF ISSUANCE OF NIV'S TO LEBANESE BY GIVING EVERY BENEFIT OF DOUBT ON THEIR INTENTION TO RETURN TO LEBANON. MCCARTHY PROPOSAL

GIVES US SEVERE PROBLEMS, HOWEVER, BECAUSE ISSUANCE OF
NIV'S TO PERSONS WHO HAVE REGISTERED AS REFUGEES WOULD
APPEAR TO CONSTITUTE CLEAR VIOLATION OF INA. SHOULD B-2
VISAS BE ISSUED TO EFFECT ENTRY OF PONTIFICAL MISSION
GROUP, EMBASSY ANTICIPATES PRESSURE FROM OTHER LEBANESE
IN CYPRUS FOR SAME SERVICE. ACTION WOULD BE PARTICULARLY
UNFAIR TO OVER ONE HUNDRED LEBANESE WHO ARE PRESENTLY
UNDERGOING EXPENSE AND INCONVENIENCE OF PROCESSING REGULAR
IV'S AT POST.

6. WE CONTINUE TO BE AT A DISADVANTAGE IN CONVERSATIONS
ON LEBANESE VISAS WHEN INQUIRIES REFER TO "NEW POLICY"
STATED BY SENATOR KENNEDY (REF C). EMBASSY WOULD GREATLY
APPRECIATE SUMMARY OF ONGOING DEVELOPMENTS IN WASHINGTON
FOR BACKGROUND IN EMBASSY CONTACTS WITH VISA APPLICANTS,
PONTIFICAL MISSION REP AND WITH GOC AND FOR CONSOFF'S
BENEFIT IN ANTICIPATING AND MEETING CONSULAR DEVELOPMENTS
CAUSED BY LEBANESE WAR.
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